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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,728	01/09/2001	Stefaan Valere Albert Coussement	P4644	7778

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EXAMINER

CHOUDHURY, AZIZUL Q

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/757,728

Applicant(s)

COUSSEMENT, STEFAAN
VALERE ALBERT

Examiner

Azizul Choudhury

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-31 and 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-31 and 33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This office action is in response to the correspondence received on October 31, 2005.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "robotic" is indefinite in the art and fails to accurately describe a type of response resource. The phrases "automated agent" or "software agent" are recommended.

Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "foreign" is indefinite in the art and fails to accurately describe a type of software.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 8-31 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Beck et al (US Pat No: US006332154B2), hereafter referred to as Beck.

1. With regards to claims 1 and 19, Beck teaches a network including a communication center and a plurality of clients using communication devices, a system enabling agents of the communication center to best communicate with the clients and client devices, including configuring call-back options and preferences, the system comprising:
 - customer presence software executing at each client device for monitoring client and client device status (Beck teaches a communication center design with client side software (column 9, lines 20-22, Beck). Plus the design allows for the client status to be available to the agent through the software (column 5, lines 57-60, Beck)); and
 - a communication-center presence software executing in the communication center for receiving information from the customer presence software (Beck teaches a communication center design with host side software (column 9, lines 20-22, Beck). Plus the design allows for the client status to be available to the agent through the software (column 5, lines 57-60, Beck));
 - characterized in that the customer presence software monitors real-time client and client device status at each client device including on-line/offline status of the client (client online status means are present (column 59,

lines 14-24, Beck)) and client devices and the client's callback preferences including medium preferences and client device preferences (Beck allows for callback preferences along with medium preferences (column 6, lines 6-14, Beck)), communicates the status information to the communication center presence software, and the communication center presence software integrates the received status information and provides the integrated result to the agents of the communication center (column 8, line 54 – column 9, line 5, Beck).

2. With regards to claims 2 and 20, Beck teaches the system of claim 1, wherein the network is a data-packet-network (column 7, lines 31-40, Beck).
3. With regards to claims 3 and 21, Beck teaches the system of claim 2, wherein the data-packet-network is the Internet network (column 7, lines 31-40, Beck).
4. With regards to claims 4 and 22, Beck teaches the system of claim 3, wherein the communication center markets products and or service to the clients (column 24, line 64 – column 25, line 7, Beck).
5. With regards to claim 5, Beck teaches the system of claim 4, wherein the agents are human resources employed by the communication center (The resources can be human or automated (robotic) (column 11, lines 39-50, Beck)).

6. With regards to claim 6, Beck teaches the system of claim 4, wherein the agents are automated robotic systems implemented at the communications center (The resources can be human or automated (robotic) (column 11, lines 39-50, Beck)).
7. With regards to claim 8, Beck teaches the system of claim 7, wherein an alert is propagated to clients (Beck allows for notifications/alerts (column 43, lines 23-35, Beck). Plus, callbacks are also equivalent to alerts (column 6, lines 6-14, Beck)).
8. With regards to claims 9, 29 and 30, Beck teaches the system of claim 8, wherein the alert indicates one or more of status of the communication center, including one or more of the number of calls in queue and the estimated waiting time, and a time for callback, enabling the client to plan or to initiate a call with high probability of success (Beck allows for notifications/alerts based on various events (column 35, line 16 – column 37, line 27, Beck). Plus, callbacks are also equivalent to alerts (column 6, lines 6-14, Beck)).
9. With regards to claim 10, Beck teaches the system of claim 8, wherein optional callback or alert mediums include cellular, IP, and wired communications mediums (column 6, lines 6-14, Beck).

10. With regards to claims 11 and 31, Beck teaches the system of claim 10, wherein the optional callback or alert devices include cellular telephones, pagers, telephones, computer stations, handheld computers, and laptop computers (column 6, lines 6-14, Beck).
11. With regard to claims 12 and 33, Beck teaches the system of claim 1, wherein the client-status information provided to an agent automatically updates periodically (column 5, line 60 – column 6, line 14, Beck).
12. With regards to claim 13, Beck teaches the system of claim 1, wherein the client-status information is continually streamed to the subscribing agent-user during a session with a client (column 5, line 60 – column 6, line 14, Beck).
13. With regards to claims 14, 26 and 27, Beck teaches the system of claim 1, wherein the transfer of client-status information is by instant messaging technology (column 8, line 54 – column 9, line 5, Beck).
14. With regards to claim 15, Beck teaches the system of claim 1 wherein the customer presence software executing at the client devices for monitoring client and device status is provided by a host of the communication center, and the communication-center presence software executing in the communication center

communicates directly with the customer presence software executing at the client device (column 7, lines 15-22, Beck).

15. With regards to claim 16, Beck teaches the system of claim 1 wherein one or more instances of customer presence service software are foreign presence service software provided by a third-party presence service provider, and further comprising a foreign presence service server operating in the network and communicating with both the instances of the foreign presence service software and the communication center presence software executing at the communication center (Beck teaches how necessary software is provided (column 7, lines 15-22, Beck). In addition, Beck discloses that data transfers can occur through an ISP (which is a third party) (column 2, lines 49-50). Furthermore, Beck discloses that interaction between the client, agent and a third party are also possible (column 40, lines 10-20, Beck)).

16. With regards to claim 17, Beck teaches the system of claim 1 wherein the network is one or a combination of the Internet network, a wireless cellular telephone network, or a public service telephone network (Various network types are allowed (column 7, lines 31-40, Beck)).

17. With regards to claim 18, Beck teaches the system of claim 1 wherein one or more instances of the customer presence software are provided by the

communication center host, and one or more instances are provided by a third party presence service provider, and wherein two or more client devices executing presence software are associated with a single client, the communication center presence software providing thereby regularly updated and integrated presence status over the multiple devices for the single client (Beck's design allows for downloading of software (column 17, lines 15-22, Beck). The design also allows for downloading of other types of software as needed (column 18, lines 8-17, Beck) (column 19, lines 38-52, Beck). In addition, Beck discloses that data transfers can occur through an ISP (which is a third party) (column 2, lines 49-50). Furthermore, Beck discloses that interaction between the client, agent and a third party are also possible (column 40, lines 10-20, Beck)).

18. With regards to claim 23, Beck teaches the method of claim 19 wherein in step (a), the presence software executing at a client device is provided by a third-party service provider, and client status information is communicated through a third party server to the communication center presence software (Beck's design allows for downloading of software (column 17, lines 15-22, Beck). The design also allows for downloading of other types of software as needed (column 18, lines 8-17, Beck) (column 19, lines 38-52, Beck). In addition, Beck discloses that data transfers can occur through an ISP (which is a third party) (column 2, lines

49-50). Furthermore, Beck discloses that interaction between the client, agent and a third party are also possible (column 40, lines 10-20, Beck)).

19. With regards to claim 24, Beck teaches the method of claim 19 wherein in step (a), the presence software executing at a client device is provided by the host of the communication center, and the communication center presence software communicates directly with the client presence software (The CINOS client-side application communicates with the CINOS parent-side application (column 9, lines 20-22, Beck)).

20. With regards to claim 25, Beck teaches the method of claim 19 wherein in step (b), the communication center presence software operates in a call-waiting queue of the communication center (column 9, line 59 – column 10, line 9, Beck).

21. With regards to claim 28, Beck teaches the method of claim 19 wherein in step (b), on-line/off-line status information is communicated in the form of instant messages containing the information, and callback preference information is communicated through an electronic information page (column 8, line 54 – column 9, line 5 and column 9, line 59 – column 10, line 9, Beck).

Response to Remarks

In lieu of the previous correspondence, a new search has been conducted and more pertinent prior art has been discovered. A new office action has been compiled to illustrate how the new Beck prior art relates to the claimed invention. The Beck art is believed to address the concerns of the applicant and provide clarity as to what traits currently are known in the art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lu et al (US Pat No: US006611590B1)
- "A CRM model based on Voice over IP," by Y.S. Moon et al.
- "Call Center Simulation in Bell Canada," by Oryal Tanir & Richard J.

Booth.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC



JASON CARDONE
SUPERVISORY PATENT EXAMINER